IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.6901 of 1998

Between:

Sree Jyothsna Mineral Industries, Rep. by its Proprietor,
Smt. M. Sarada Devi, w/o Sri M.Jagan Mohan, aged 34, D.No.9-19/3-5,
Sreehari Nivas, Near Degree College, Dhone-518222, Kurnool District.

..... PETITIONER

AND

Singareni Collieries Co. Ltd., Rep. by its Chairman,
Post Box No. 18, Khairatabad,
Mehar Manzil, Red Hills, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction, especially in the nature of Writ of Mandamus, declaring the action of the Singareni Collieries Company Ltd., Red Hills, Hyderabad in treating the petitioner as unlinked customer and collecting 20% additional price on notified prices of B, C & D grades of Coal as per the price notification No.3/96-97 dt.14.3.1997 issued by it is irrational, arbitrary, discriminatory and violative of Art. 14 of the Constitution of India and restrain the respondent-company from collecting 20% additional from the petitioner and consequently direct refund of the excess price already collected from the petitioner.

Counsel for the Petitioner: MR.K.HARINATH

Counsel for the Respondent: MR.K.SRINIVASAMURTHY

The Court made the following:

ORDER:

Learned counsel for the petitioner submits that the cause in this writ petition does not survive and has become infructuous.

Recording the said submission, the writ petition is dismissed as having become infructuous. No costs.

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N.V. RAMANA, J.

Date: 24.02.2005

Tvk

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Chairman,
Singareni Collieries Co. Ltd., Post Box No. 18, Khairatabad,
Mehar Manzil, Red Hills, Hyderabad.

2 2 CD copies

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